

HOUSE BILL 329

F4, F2
HB 1608/17 – HRU

8lr2458
CF SB 7

By: **Delegates Otto, Anderton, and Carozza**
Introduced and read first time: January 22, 2018
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Somerset County – Community College – Eligibility of Students to Pay No**
3 **Tuition or Fees**

4 FOR the purpose of providing that certain students residing in Somerset County may enroll
5 full time in certain community colleges and pay no tuition or fees for a certain time
6 if certain conditions are met; requiring the Maryland Higher Education Commission
7 to pay 100% of in-county tuition and fees for certain eligible students from certain
8 funds and subject to certain conditions; requiring that certain student financial aid
9 be applied to pay an eligible student's tuition and fees before determining the amount
10 required to be paid by the Commission; requiring a student to repay funds spent on
11 the student's behalf to the Commission and county if the student is guilty of a felony;
12 prohibiting a student from being eligible to pay no tuition or fees under this Act if
13 the student is convicted of a felony; and generally relating to the eligibility of
14 students residing in Somerset County to attend community college and pay no
15 tuition or fees.

16 BY repealing and reenacting, without amendments,
17 Article – Education
18 Section 16–310(b)(1)
19 Annotated Code of Maryland
20 (2014 Replacement Volume and 2017 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 16–310(e)
24 Annotated Code of Maryland
25 (2014 Replacement Volume and 2017 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
27 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1

Article – Education

2 16–310.

3 (b) (1) Subject to the provisions of paragraphs (2), (3), and (4) of this subsection
4 and subsection (g) of this section, any student who attends a community college not
5 supported by the county in which the student resides shall pay, in addition to the student
6 tuition and fees payable by a resident of a county that supports the community college, an
7 out-of-county or out-of-region fee at least equal to 60% of the county share per full-time
8 equivalent student as determined under § 16–305 of this subtitle.

9 (e) (1) Notwithstanding subsection (b) of this section, if any student resides in
10 a county where the per capita wealth is below the State average and the county does not
11 support a community college or a branch campus of a community college, except for
12 Baltimore City, the student may enroll at a community college or a branch campus in the
13 State, either of which is located in a county adjacent to the one in which the student resides,
14 and pay only the tuition and fees applicable to a county resident that supports the
15 community college.

16 (2) For any student determined to be eligible under paragraph (1) of this
17 subsection, the Commission shall pay:

18 (i) In fiscal year 1992, 75% of any applicable out-of-county fee
19 provided that the county in which the student resides pays 25 percent of that fee; and

20 (ii) In fiscal year 1993, and each fiscal year thereafter, 50% of any
21 applicable out-of-county fee provided that the county in which the student resides pays 50
22 percent of that fee.

23 (3) The Commission may make payments to effectuate the provisions of
24 [this section] **PARAGRAPH (2) OF THIS SUBSECTION** from funds specifically appropriated
25 for this purpose in the State budget or any supplemental budget request.

26 (4) (I) **ANY STUDENT WHO IS DETERMINED TO BE ELIGIBLE UNDER**
27 **PARAGRAPH (1) OF THIS SUBSECTION AND WHO RESIDES IN SOMERSET COUNTY**
28 **MAY ENROLL FULL TIME AT AN ELIGIBLE INSTITUTION UNDER PARAGRAPH (1) OF**
29 **THIS SUBSECTION IN THE FALL SEMESTER IMMEDIATELY AFTER GRADUATING FROM**
30 **HIGH SCHOOL AND PAY NO TUITION OR FEES FOR UP TO 3 YEARS OR UNTIL**
31 **COMPLETION OF AN ASSOCIATE’S DEGREE, WHICHEVER COMES FIRST, IF THE**
32 **STUDENT:**

33 1. **ANNUALLY SUBMITS, IN A TIMELY MANNER, THE**
34 **FREE APPLICATION FOR FEDERAL STUDENT AID AND AN APPLICATION FOR STATE**
35 **FINANCIAL AID;**

36 2. **COMPLETES AN APPLICATION REQUIRED BY AN**

1 ELIGIBLE INSTITUTION UNDER PARAGRAPH (1) OF THIS SUBSECTION;

2 3. MAINTAINS AT LEAST A 2.00 GPA;

3 4. MAINTAINS FULL-TIME ATTENDANCE DURING EACH
4 FALL AND SPRING SEMESTER; AND

5 5. HAS NOT BEEN CONVICTED OF A FELONY.

6 (II) 1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS
7 SUBPARAGRAPH, FOR ANY STUDENT ELIGIBLE UNDER THIS PARAGRAPH TO PAY NO
8 TUITION OR FEES, THE COMMISSION SHALL PAY 100% OF THE IN-COUNTY TUITION
9 AND FEES FROM FUNDS SPECIFICALLY APPROPRIATED FOR THIS PURPOSE IN THE
10 STATE BUDGET OR A SUPPLEMENTAL BUDGET REQUEST.

11 2. A. IN DETERMINING THE AMOUNT REQUIRED TO
12 BE PAID BY THE COMMISSION FOR AN ELIGIBLE STUDENT UNDER THIS PARAGRAPH,
13 ANY STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, RECEIVED BY THE
14 STUDENT SHALL BE APPLIED FIRST TO PAY THE STUDENT'S TUITION AND FEES.

15 B. FOR AN ELIGIBLE STUDENT UNDER THIS PARAGRAPH,
16 THE COMMISSION SHALL PAY THE DIFFERENCE BETWEEN THE TOTAL TUITION AND
17 FEES FOR THE STUDENT AT THE COMMUNITY COLLEGE AND THE AMOUNT OF THE
18 FINANCIAL AID, NOT INCLUDING STUDENT LOANS, RECEIVED BY THE STUDENT.

19 (III) 1. IF A STUDENT FAILS TO REPORT A FELONY
20 CONVICTION WHEN APPLYING TO AN ELIGIBLE INSTITUTION UNDER PARAGRAPH (1)
21 OF THIS SUBSECTION, THE STUDENT SHALL REPAY ANY FUNDS SPENT BY THE
22 COMMISSION AND SOMERSET COUNTY ON THE STUDENT'S BEHALF.

23 2. IF A STUDENT IS CONVICTED OF A FELONY AFTER
24 ENROLLING IN AN ELIGIBLE INSTITUTION UNDER PARAGRAPH (1) OF THIS
25 SUBSECTION, THE STUDENT IS NO LONGER ELIGIBLE TO PAY NO TUITION OR FEES
26 UNDER THIS PARAGRAPH.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2018.